

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

JASON PAUL ARNOLD,

Plaintiff,

Docket No. 11-cv-260
Hon. Gordon J. Quist

v.

STATE OF MICHIGAN, SCHOOLCRAFT
COUNTY FAMILY INDEPENDENCE AGENCY,
CHARTER BEHAVIORAL HEALTH SYSTEM,
NORTHBROOK HOSPITAL E.A.P., HIAWATHA
BEHAVIORAL HEALTH AGENCY,

Defendants.

JASON PAUL ARNOLD, In Pro Per
15763 17th Road
Garden, MI 49835

JOHNSON, ROSATI, LABARGE,
ASELTYN & FIELD, P.C.
BY: CHRISTOPHER J. JOHNSON (P32937)
CARLITO H. YOUNG (P61863)
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**DEFENDANT, HIAWATHA BEHAVIORAL HEALTH'S ANSWER TO
COMPLAINT, AFFIRMATIVE DEFENSES AND RELIANCE UPON JURY
DEMAND**

The Defendant, HIAWATHA BEHAVIORAL HEALTH, through its attorneys, JOHNSON, ROSATI, LABARGE, ASELTYN & FIELD, P.C., by Christopher J. Johnson, and for its Answer to Plaintiff's Complaint, states as follows:

1. The Hiawatha Behavioral Health (HBH) Defendants deny any and all allegations set for in Plaintiff's opaque Complaint on the grounds that all of Plaintiff's statements or purported allegations against HBH or any of its employees are untrue.

JOHNSON, ROSATI, LABARGE,
ASELTYN & FIELD, P.C.

s/ CHRISTOPHER J. JOHNSON (P32937)

CARLITO H. YOUNG (61863)

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(248) 489-4100

Dated: August 1, 2011

**DEFENDANT, HIAWATHA BEHAVIORAL HEALTH'S AFFIRMATIVE
DEFENSES**

The Defendant, HIAWATHA BEHAVIORAL HEALTH, through its attorneys, JOHNSON, ROSATI, LABARGE, ASELTYN & FIELD, P.C., by Christopher J. Johnson, and for its Affirmative Defenses to Plaintiff's Complaint, states as follows:

1. That Plaintiff's Complaint fails to state a cause of action upon which relief may be granted.
2. That Plaintiff's claims are barred by the applicable statute of limitations.
3. That Defendant Hiawatha Behavioral Health (HBH), including its employees and/or agents, are entitled to governmental immunity.
4. That Plaintiff's comparative negligence may exceed 50%, thereby relieving this Defendant from liability of certain damages under state law.
5. That Defendant HBH was not the proximate cause of Plaintiff's alleged damages.

6. Plaintiff has failed to state a claim against Defendant HBH as the Complaint does not specify acts of each of the named Defendants which would support any cause of action against them in this case.

7. That Defendant HBH reserves the right to raise additional Affirmative Defenses as they may become known.

JOHNSON, ROSATI, LABARGE,
ASELTINE & FIELD, P.C.

s/ CHRISTOPHER J. JOHNSON (P 32937)
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Dated: August 1, 2011

**DEFENDANT, HIAWATHA BEHAVIORAL HEALTH'S RELIANCE UPON
JURY DEMAND**

The Defendant, HIAWATHA BEHAVIORAL HEALTH, through its attorneys, JOHNSON, ROSATI, LaBARGE, ASELTINE & FIELD, P.C., by Christopher J. Johnson, and rely on the Jury Demand previously filed by Plaintiff herein.

JOHNSON, ROSATI, LABARGE,
ASELTINE & FIELD, P.C.

s/ CHRISTOPHER J. JOHNSON (P32937)
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Dated: August 1, 2011

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2011, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: (none), and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: **Jason Paul Arnold, 15763 17th Road, Garden, MI 49835.**

JOHNSON, ROSATI, LABARGE,
ASELTYN & FIELD, P.C.

s/ CHRISTOPHER J. JOHNSON (P32937)

CARLITO H. YOUNG (P61863)

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